

REMARKS

The Applicant respectfully requests reconsideration and Allowance of Claims 1-20 in view of the amendments above and the following arguments.

35 U.S.C. §102 REJECTIONS

Claims 1-5 and 7-20 as previously amended were again rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,547,830 to Mercer ("Mercer").

Claims 1-20 as previously amended were again rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,633,401 to Kojima ("Kojima").

35 U.S.C. §103 REJECTIONS

Claim 6 was again rejected under 35 U.S.C. §103(a) as obvious over Mercer in view of U.S. Patent 6,670,968 to Schilit et al. ("Schilit").

STATUS OF THE CLAIMS

Claims 1-20 remain pending in this case.

Independent Claims 1, 7, 11 and 16 have been amended to add the limitation of predetermined high level rules wherein said predetermined high level rules are applied until met or a maximum of permitted change is reached. Further, the term "evenly" has been deleted so as to remove ambiguity from the claims. These amendments represent clarifications and do add further limitations to the respective claims.

CLAIMS 1-20 ARE NOT ANTICIPATED BY THE CITED ART.

The Examiner rejected claims 1-5 and 7-20 under 35 U.S.C. § 102 as anticipated by Mercer. Claims 1-20 were rejected under 35 U.S.C. § 102 as anticipated by Kojima Applicant respectfully traverses these rejections on the ground

that neither Mercer nor Kojima discloses, or suggests, a predetermined set of high level rules that are applied until the rules are met or until a maximum of permitted change has been reached.

THE MERCER PATENT

Mercer discloses a software program that converts data to easily viewable text to be provided to small displays. The software includes a method to reduce the distance between characters, both horizontally and vertically, and which proportionately reduces the font size and substitutes fonts with easily readable fonts. (See e.g. the Abstract). These functions are applied sequentially one after the other. (See e.g. Column 6, lines 35-67) Further, the process ends upon determination that a character is the last character, otherwise the process repeats. (See e.g. Column 7, lines 61-65).

No disclosure is made or suggested of a predetermined set of high level rules that execute until met or until a maximum of permitted change has been reached at which time a fail safe rule is applied to ensure a guaranteed output.

As a result, Applicant respectfully requests that the rejection of claims 1-5 and 7-20 under 35 U.S.C. § 102 as anticipated by Mercer be reconsidered, withdrawn and the claims allowed.

THE KOJIMA PATENT

The Kojima patent discloses a device for creating a compressed intermediate data from a received communication based on a "sheet-saving" format such that upon receiving a print command the sheet saving image is printed thus saving paper/sheets. (See e.g. the Abstract). In every case, upon receipt of data the

received data is processed into intermediate data based on the corresponding sheet-saving print format. (See, e.g. column 4, lines 57-65.).

No disclosure is made or suggested of a predetermined set of high level rules that execute until met or a maximum of permitted change has been reached at which time a fail safe rule is applied to ensure a guaranteed output.

As a result, Applicant respectfully requests that the rejection of claims 1-20 under 35 U.S.C. § 102 as anticipated by Kojima be reconsidered, withdrawn and the claims allowed.

Claim 1

In contrast to the technique of Mercer and/or Kojima, Applicant's independent Claim1 (as well as independent Claims 7, 11 and 16) as now more particularly claimed is directed, in pertinent part, to the creation of processed data in accordance with predetermined high level rules which are applied until the rule is met or they reach a maximum of permitted change. (See, e.g. page 6, lines 11-14 and lines 30-32 and page 7, lines 1-2). That is, form engine 14 starts modifying the high level rules 24 are met or until a maximum permitted change has been reached. For example, limits on the amount of change that is permitted are included such as: 12 point font can be reduced to 10 point font, but not further; multiple line field can be truncated to a maximum of 10 lines; inner line spacing can be reduced by up to 20%; shrink picture by up to 50%; and so forth. (See, page 6, lines 10-14). According to Applicant's invention, if the high level rules can not be met or a

maximum of permitted change is reached a failsafe rule ensures a guaranteed output.(See, e.g. page 6, lines 14-16 and also page 7, lines 2-5).

Applicant respectfully submits that no such system wherein a range of change up to a maximum is permitted is disclosed or suggested whatsoever by Mercer and/or Kojima either alone or in combination. Again, in pertinent part, Applicant discloses and claims in independent claims 1, 7, 11, and 16 the application of predetermined high level rules until met or a maximum permitted amount of change is reached. As a result, Applicant respectfully requests that the rejection of independent claim 1, and independent claims 7, 11, and 16 which contain similar limitations, under 35 U.S.C. § 102 as anticipated by Mercer and/or Kojima be reconsidered, withdrawn and the claims allowed including all the claims depending therefrom respectively.

THE SCHILIT PATENT

The Examiner cited the Schilit patent for the purpose of rejecting dependent claim 6. Applicant concedes that Schilit does disclose a printer but disagrees that the combination of Schilit and Mercer discloses and/or suggests Applicant's invention as now claimed as set forth above in detail. As a result, Applicant respectfully requests that the rejection be withdrawn and the claim allowed.

CONCLUSION

In light of the above, Applicant respectfully requests reconsideration and allowance of Claims 1-20. If the Examiner should feel that any issue remains as to the allowability of these claims, or that a conference might expedite allowance of the claims, the Examiner is asked to telephone the undersigned attorney.

Applicant intends this to be a complete response. No fee is believed due; however if a fee is due, please charge deposit account number indicated on the transmittal letter.

Respectfully submitted,

Date: 27 APR 05

By: J. Nevin Shaffer, Jr. P.A.

J. Nevin Shaffer, Jr., Reg. No. 29,858
913 Gulf Breeze Parkway, Suite 43
Gulf Breeze, FL 32561
850-934-4124

ATTORNEY FOR APPLICANT

Certificate of Facsimile transmission

I hereby certify that this correspondence is being transmitted to the patent and Trademark Office facsimile number (703) 872-9306 on 27 April 2005. Number of Pages, including Transmittal Letter, 11 pages.

Reg. No. 29,858, J. Nevin Shaffer, Jr.

J. Nevin Shaffer, Jr.